

Message Text

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ACTION AID-05

INFO OCT-01 NEA-06 ISO-00 FDRE-00 SS-15 SP-02 L-02 H-01

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R 201420Z DEC 74

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC PRIORITY 5851

C O N F I D E N T I A L SECTION 1 OF 2 NEW DELHI 16979

JOINT EMBASSY /USAID MESSAGE

E. O. 11652: GDS

TAGS: EAID, IN

SUBJECT: EMERGENCY ADDITION TO PL 480 TITLE II FOR FY 75

REFS: A. STATE 230310; B. NEW DELHI 13793;

C. KINGERY/COLES LETTER OF 11/22/74

SUMMARY: ALTHOUGH EMERGENCY RELIEF NEEDS IN FLOOD AND DROUGHT AFFECTED STATES CONTINUE, IT IS UNREALISTIC TO EXPECT THAT THE GOI WILL DECLARE AN EMERGENCY FOR SUCH PURPOSE. RELIEF EFFORT IN INDIA IS A RESPONSIBILITY OF THE STATES, NOT THE CENTER. CONSTITUTIONAL GROUNDS FOR GOI "DECLARATION OF EMERGENCY" DO NOT INCLUDE FOOD SCARCITY OR EVEN FAMINE. NO DO WE FIND IN M. O. 1572.2 OR PL 480 LEGISLATION THAT HOST COUNTRY DECLARATION OF EMERGENCY IS A PREREQUISITE TO TITLE II EMERGENCY ASSISTANCE. THE GOI HAS ALREADY ADDRESSED TWO REQUESTS FOR HELP TO THE VOLUNTARY AGENCIES HERE. AFFECTED STATES HAVE REQUESTED ASSISTANCE FROM THE CENTER. AFFECTED DISTRICTS HAVE ACTIVATED TEST RELIEF SCHEMES UNDER APPLICABLE FAMINE CODES. CARE AND OTHER VOLAGS ON SCENE REPORT STEADILY WORSENING CONDITIONS, WITH SCANT PROSPECT FOR IMPROVEMENT. IN SUM, WE BELIEVE THAT CONDITIONS IN THE AFFECTED STATES MEET THE CRITERIA FOR TITLE II EMERGENCY ASSISTANCE AND THAT ALL REASONABLE PROCEDURAL REQUIREMENTS TO OUR FURNISHING SUCH ASSISTANCE CAN AND SHOULD BE

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CONSIDERED SATISFIED. ACTION REQUESTED: CONCURRENCE AND

ALLOCATION OF 40,000 METRIC TONS OF WHEAT, AS EMERGENCY ADD-ON TO THIS YEAR'S TITLE II PROGRAM, FOR USE IN CARE/GOI DROUGHT PROME AREAS PROGRAM (DPAP). END SUMMARY.

1. REF A CONDITIONS USG ADDITIONAL CONTRIBUTION TO FY 75 CARE TITLE II PROGRAM UPON "GOI DECLARATION OF EMERGENCY". SUCH REQUIREMENT, WE BELIEVE, IS UNREALISTIC SINCE THE INDIAN CONSTITUTION PROVIDES NO BASIS FOR SUCH ACTION. EMERGENCY PROVISIONS OF CONSTITUTION (ARTS. 352-360) RESTRICT GOI DECLARATION OF EMERGENCY TO SITUATIONS OF WAR, EXTERNAL AGGRESSION, INTERNAL DISTURBANCES, FAILURE OF CONSTITUTIONAL MACHINERY IN STATES, AND THREAT TO FINANCIAL STABILITY. FURTHER-
MORR, IN PRACTICE RELIEF IS A MATTER OF STATE (RATHER THAN CENTER) RESPONSIBILITY; THUS "TEST RELIEF" PUBLIC WORKS PROJECTS ARE GOVERNED BY VARIOUS STATE FAMINE CODES AND IMPLEMENTED ACCORDINGLY.

2. IN THE ABSENCE OF ANY STATED REASON FOR THE REF A "DECLARATION OF EMERGENCY" REQUIREMENT, WE HAVE AGAIN PERUSED BOTH M. O. 1572.7 AND THE PL 480 TITLE II STATUTE FOR GUIDANCE. WE ARE UNABLE TO FIND SUCH A CONDITION IN EITHER. TO THE CONTRARY, PARA II. A.2 OF M. O. 1572.2 PROVIDES THAT TITLE II ASSISTANCE "MAY BE REQUESTED BY OR OFFERED TO" ANY FRIENDLY NATION. SEE ALSO PARA III. A WHICH PERMITS "OFFER" OF ASSISTANCE.

3. FURTHER, APART FROM THE LEGAL AND REGULATORY CONSIDERATIONS, THE GOI IS OBVIOUSLY SENSITIVE ABOUT PUBLIC ADMISSIONS OF THE FOOD SCARCITY SITUATION AND WOULD BE MOST RELUCTANT TO COME FORWARD WITH WHAT IT WOULD UNDOUBTEDLY PERCEIVE AS POLITICALLY AWKWARD DECLARATIONS OR APPEALS. WHAT WE ARE TRYING TO DO IS TO BE AS FORTTBXMING AS POSSIBLE IN THE CIRCUMSTANCES -I. E., TO OFFER ASSISTANCE TO THE GOI ON THE PRESENT RECORD (REVIEWED BELOW), WHICH IS THE BEST WE CAN REALISTICALLY EXPECT TO GET AND WHICH WE BELIEVE SHOULD BE CONSIDERED MORE THAN ADEQUATE.

4. WHAT THE GOI HAS DONE, TO REVIEW, IS TO ASK THE VOLAGS FOR ASSISTANCE, OBVIOUSLY KNOWING, IN CARE'S CASE ANYWAY, THAT AN AFFIRMATIVE RESPONSE WOULD BE POSSIBLE ONLY WITH AN INCREASED USG CONTRIBUTION. (THE APPROACH TO CARE RATHER THAN DIRECTLY TO THE USG WAS OF COURSE CONSISTENT WITH TITLE II PROCEDURES.)
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NOW, IN ADDITION TO THE WRITTEN REQUEST TO CARE FROM THE GOI DEPARTMENT OF SOCIAL WELFARE, MINISTRY OF HEALTH (REPORTED IN REF B), CARE HAS RECEIVED A FOLLOW-UP LETTER FROM THE SAME DEPARTMENT DATED DECEMBER 19, 1974 ASKING AGAIN WHETHER IT IS POSSIBLE FOR CARE TO EXPAND ITS ACTIVITIES IN AREAS AFFECTED BY DROUGHT AND FLOODS. THUS THERE IS NO DOUBT IN OUR MINDS THAT THE GOI WANTS EXTRA ASSISTANCE AND, IN ITS OWN NOT UNREASONABLE FASHION, HAS ACTED TO GET IT.

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5. AS TO ACTION BY THE STATES, THE DROUGHT AND FLOOD AFFECTED STATES HAVE ACTIVATED TEST RELIEF SCHEMES UNDER THEIR STATE FAMINE CODES AND HAVE REQUESTED EMERGENCY ASSISTANCE FROM THE CENTER. CARE HAS ALSO BEEN RECEIVING AN INCREASING NUMBER OF DIRECT REQUESTS (SOME IN WRITING) FROM THOSE STATES SUFFERING SEVERE SCARCITIES. THUS THE STATES, TOO, ARE ACTIVE AND INTERESTED IN ADDRESSING THE SITUATION.

6. AS TO THE "EMERGENCY" WHICH IN OUR JUDGMENT EXISTS IN THE DROUGHT/FLOOD AFFECTED AREAS, REF C OUTLINED CONDITIONS PREVAILING IN THOSE AREAS. WE ARE PREPARED TO DOCUMENT FURTHER, IF WASHINGTON SO REQUIRES. WE BELIEVE THAT THE AREAS IN WHICH CARE WOULD UNDERTAKE "EMERGENCY" FFW PROJECTS CLEARLY QUALIFY FOR EMERGENCY ASSISTANCE UNDER M. O. 1572.2. FURTHERMORE, SINCE THE TRANSMITTAL OF REF C, CONDITIONS HAVE WORSENERD RATHER THAN IMPROVED IN THOSE AREAS AND, IN FACT, THROUGHOUT A LARGE PART OF INDIA; OVER THE NEXT SEVERAL MONTHS IT IS APPARENT THAT CONDITIONS WILL WORSEN STILL FURTHER. THE TOTAL KHARIF (FALL) CROP IS NOW ESTIMATED AT APPROXIMATELY 58-59 MILLION TONS - DOWN BY 8 TO 9 MILLION TONS FROM THE 1973-74 CROUP, AND ESTIMATES FOR THE RABI (SPRING) CROP ARE AROUND 38-40 MILLION TONS, ONLY 1-2 MILLION TONS HIGHER THAN THE 1973-74 CROP OF 37 MILLION TONS WHICH ITSELF WAS SHORT BY 11 MILLION TONS FROM ORIGINAL TARGET. TOTAL 1974-75 PRODUCTION IS, THEREFORE, ESTIMATED TO BE BETWEEN 96 TO 99 MILLION TONS - DOWN FROM LAST YEAR'S TOTAL OF 103.6 MILLION. JUST TO SUSTAIN HER

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POPULATION OF 570 TO 600 MILLION, IT IS EVIDENT THAT HELP WILL BE NEEDED DURING THE NEXT YEAR. FURTHER, THE PROBLEM IS OF COURSE NOT ONLY ONE OF SCARCITY BUT OF RISING PRICES FOR WHAT IS AVAILABLE, COMPOUNDED BY STAGNANT OR DEPRESSED WAGE RATES AND LARGE-SCALE UNEMPLOYMENT; IN LARGE NUMBERS, PEOPLE LIVING RIGHT AT THE MARGIN ARE BEING PRIVED OUT OF THE FOOD MARKET.

7. WHILE THE IMPLEMENTATION OF THE DPAP BY CARE CAN PROVIDE ONLY A SMALL AMOUNT OF THE QUANTITIES NEEDED, AT THE SAME TIME IT CAN BE HOPED THAT THE PROGRAM WILL BRING ABOUT INCREASED FOOD PRODUCTION IN THESE AREAS. IN CARE'S EXPERIENCE WITH REGULAR FOOD-FOR-WORK PROGRAMS IN WEST BENGAL, E. G., IT WAS FOUND THAT IN SOME AREAS WHERE THESE ACTIVITIES WERE UNDERTAKEN, RICE PRODUCTION INCREASED BY AS MUCH AS 200-400 PERCENT. ALSO, NEED-LESS TO REITERATE, FFW AS OPPOSED TO A "DOEL" IS CLEARLY IN LINE WITH AID'S EXPRESSED PREFERENCE (M.O. 1572.2) AND THE DPAP CLEARLY HAS DEVELOPMENTAL AS WELL AS "EMERGENCY" OVERTONES.

8. IN VIEW OF THE CONSIDERATIONS SET FORTH ABOVE. WE ASK WASHINGTON'S CONSIDERATION OF THE CARE ADDITIVE APROGRAM REQUESTED IN REF B. AS STATED THEREIN, CARE WOULD REQUIRE APPROXIMATELY 40,000 MT OF WHEAT TO BENEFIT ABOUT 800,000 WORKERS AND THEIR FAMILY MEMBERS. THE STATES IN WHICH THESE PROJECTS WOULD BE CARRIED OUT WOULD BE THE SAME AS REQUESTED IN THAT EARLIER MESSAGE, I. E. GUJARAT, MADHYA PRADESH, ORISSAVN WEST BENGAL AND POSSIBLY UTTAR PRADESH.

9. WILL APPRECIATE PRIORITY ATTENTION AND REPLY.
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